

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

UNITED STATES OF AMERICA,

04 Cr. 424 (RWS)

- against -

OPINION

DAVID DELAROSA,

Defendant.

-----X

Sweet, D.J.

Defendant David Delarosa ("Delarosa") has moved to unseal docket entries 313 and 314 in this criminal matter, asserting potential First Amendment and common law rights of access, while acknowledging that he is "unaware of the context of the sealed documents." For the reasons set for the below, Delarosa's motion is denied.

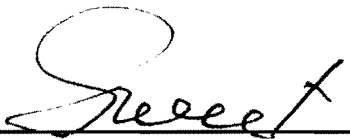
The documents at issue are warrants for the arrest of two of Delarosa's co-defendants, each for violations of the terms of his supervised release, and the accompanying Petitions for Court Action. These documents were filed under seal pursuant to a policy of the United States Probation Office in order to reduce the possibility of sensitive information being entered in CM-ECF. The Court, having taken judicial notice of the contents of these documents, is hard-pressed to imagine what interest, if any,

Delarosa might have in these documents, which relate only to two of his co-defendants and do not concern Delarosa. Accordingly, the Government's interest in protecting this sensitive information outweighs any interest that Delarosa may have in the contents of the documents at issue.

For the foregoing reasons, Delarosa's motion is denied and docket entries 313 and 314 will remain sealed.

It is so ordered.

New York, NY
March 17, 2011



ROBERT W. SWEET
U.S.D.J.